

The Holt County Sentinel.

39TH YEAR.

OREGON, MISSOURI, FRIDAY, MAY 8, 1903.

NUMBER 51

| MAY | | | | | | |
|-----|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

"SWEET MAY HATH COME TO LOVE US,
FLOWERS, TREES, THEIR BLOSSOMS DON."



TWO YEARS IN PENITENTIARY

William Hinkle Pleads Guilty to Grand Larceny.

On the side, between acts, Holt county made a play or two, and dumped a grist or two into the legal mill during the past week, but it was only a scratch that this was done. The entire week, beginning on Tuesday noon and ending Saturday evening, the entire time of the court was taken up in hearing the will contest case of Fulton vs. Freeland.

The cases of the state vs. Eli Harper, George Quick and Peter Harper, of Forbes, on the charge of gambling was called on Saturday evening while the attorneys were preparing their instructions in the will case. All three pleaded guilty and they were each fined \$25 and costs.

On February 18th last, William Hinkle was arrested in St. Joseph on the charge of stealing a span of mules belonging to King Gilewater of Forbes township. The theft was traced to St. Joseph, and in a very short time after he had disposed of the mules, he was placed under arrest. Hinkle had sold the mules to a St. Joseph party for \$125, who had paid \$10 down, after which he skipped down an alley at a merry pace. This action aroused the purchaser's suspicion but he said nothing and awaited Hinkle's return for the remainder of the money. Meanwhile, Albert Huiatt from whom Hinkle had also stolen a buggy and harness, arrived at the police station and reported the theft. Detectives soon found the mules in a sale yard and took them. They found the buggy and harness in an alley where they also found Hinkle and placed him under arrest. He was at once brought here, and like the above party of gamblers he at once pleaded guilty and was given two years in the penitentiary.

"Truth is stranger than fiction." Never has this adage been so strangely illustrated than in a case tried in the court house last week. It was a suit between a disinherited son and his step mother, to set aside a will. This will deprived the son of a fortune, and made his stepmother one of the wealthy women of this part of the state.

In 1858, William J. Fulton, in the village of Adrian, N. Y., married a 14 year old girl. She inherited a small estate from her father, and with this Fulton came west and started in business in a small way, as a tie contractor for the K. C. St. J. & C. B. railroad. A son was born to them. They lived in Parkville, Platte county, Missouri. The business grew until 1880, when Mr. Fulton was said to be worth \$100,000. For some years he had conducted a sawmill a few miles east of Parkville, and the bands who ran the mill were boarded by Mr. Fulton with a very beautiful and dashing young widow known in that neighborhood as the widow McKike. The evidence in the trial was that Mr. Fulton was in the habit of calling on the widow McKike for several years before 1880, and if the witnesses are to be believed, Mr. Fulton and the widow indulged in the pleasures of sin for a season. In 1880, for the first time, Mr. Fulton's wife went back to Adrian, N. Y. to visit her old home. While she was gone Mr. Fulton became very much alarmed. He claimed that Mrs. Fulton, his son Jim, and some other parties were building a boat on the Allegheny river; that they were going to man it with pirates, float it down the Ohio, up the Mississippi and Missouri rivers to Parkville and murder him. Mr. Fulton was so alarmed that he sent a brother to investigate the conspiracy. He went to New York and Pittsburgh to look the matter up. He reported to Mr. Fulton that there was nothing in the idea, purely a delusion. But Mr. Fulton refused to accept this report. He induced his brother to sell out in New York and come to Parkville, Missouri, to protect him. He had his wife arrested, charged with conspiring against his life. She was thrown in jail, and put on trial. She was prosecuted by Ex Gov. Silas Woodson, and defended by Tom Fenton, perhaps the greatest lawyer of the state of Kansas. She was convicted, but on appeal to the circuit court of Platte county, the prosecuting attorney of the county refused to prosecute the case and it was dismissed at the cost of Mr. Fulton. The costs in the case were about \$4000. But while the woman was in jail under the charge against her, Mr. Fulton had secured a divorce and on the very day his divorce became effective, Mr. Fulton married the widow McKike.

When the trouble arose between Mr. Fulton and his wife, his only son, Jim, took sides with his mother, and went to live with her at Wyandotte, Kansas. Then she sued her former husband for her clothing and recovered \$1,700 in the suit. His son Jim took an active part in this suit. Some years before the trouble between Fulton and his wife, Jim, at Parkville, had shot and killed a "nigger." Jim claimed the shooting

was accidental, but many of the leading citizens of Parkville saw the shooting and pronounced it a deliberate murder. Yet the only punishment inflicted on Jim was a \$5 fine for carrying concealed weapons.

In 1889 Mr. Fulton made a will giving all his vast wealth to his widow, his step-daughter and his widow's sisters. Jim was cut off entirely. He brought the suit to set aside his father's will, while Jim's mother died about two weeks before the trial, in the insane asylum at Ossawatimie, Kansas. During the trial, perhaps the most distinguished array of witnesses appeared that ever assembled in our court house. The list included Judge E. H. Norton, who once was judge of our circuit court, and was afterwards chief justice of our supreme court. Senator Norton B. Anderson, of Platte county, was another and Campbell Wells another. One of the lawyers said to the jury in his argument, that of the 60 witnesses for the defense, only one ranked below a colonel and he was a captain.

Notwithstanding the flow of tears that attended the cast-off wife from the wedding flowers to her death amid the wailings of the madhouse, yet during the trial, one of the lawyers, an eminent state senator, lost his temper and tried to assault an attorney on the other side of the case. The senator's friends went to his assistance and a rough and tumble fight was averted only by the active interference of the officers of the court.

Motions were made on Monday by the attorneys on both sides to set aside the depositions taken on the opposite side. Under the rules of the court, these motions could not be argued on that day, so the case was taken over until Tuesday morning.

Tuesday morning when court convened, Attorneys Wright and Gresham were not in court, and the court ordered attachments issued for them, which was done, and the costs of the attachment charged against Wright.

Argument was then had upon the motions of the day previous, and both were overruled by the court.

Mr. Wright leading counsel for the plaintiff, then filed a motion for the continuance of the case, alleging that he had not had time to prepare the case, and that certain important witnesses could not now be found. He was asked for a statement of what he expected to prove by them, and submitted a prepared statement of what they would testify to. The judge then passed upon the supposed evidence of the absent witnesses, declaring that would be competent and what incompetent, whereupon the counsel for the defendants admitted that the witnesses, if present, would swear to the things stated. This was done purely for the purpose of bringing the case to trial, and blasted all the hopes of the plaintiff for forcing a continuance.

The plaintiff's attorneys then presented a petition to have Mrs. Fulton set aside, as administrator of the estate, and another appointed by the court here. This the court declined to do, and the jury was called at 11:00 o'clock, Tuesday morning to try the case.

The attorneys in the case are Mr. Wright, of Kansas City, A. D. Gresham, of Parkville, T. C. Dungan, of Oregon, Chas. Booker, of Savannah, for the plaintiff and Hon. R. P. C. Wilson, Sen. F. M. Wilson, and Guy B. Park, of Platte City, Sen. John Kennish, of Mound City and Buck Williams, of Craig, for the defense.

The jury to hear the case was composed of L. W. Duncan, of Bigelow; Paul R. Davis, D. B. Comer and John J. Adams, of Benton; J. D. Goodpasture, Albin Boring, of Clay; Jas. Cordery, Forbes, H. S. Teare, J. A. Lease, Forest; Samuel Neeley, Frank Caldwell, George Dunn, Union.

The arguments were begun on Saturday morning on convening court and continued through the day until about 4:30 p. m. when the case went to the jury. They kept the case and Judge Woodson saw they were slow to return a verdict, on Sunday morning he excused the jury until Monday afternoon, at which time he would return from St. Joseph to receive their verdict should they come to an agreement, which they did about 2:30 Monday afternoon, finding for the plaintiff by a three-fourths vote, Messrs Neeley and Caldwell of Craig and Goodpasture, of Maitland being in the minority and for the defendant. The necessary motion was at once made to have the verdict set aside and the court has the motion now under advisement.

Dan Sipes, Vernon Snap, Frank McAfee, Dan Chapelier and Charles Brock appeared in court, and plead guilty to the charge of gambling, and were each fined \$25.

The activity of the late grand jury and the "pushitiveness" of the prosecuting attorney has developed 30 indictments and 32 informations, about 60 of which are for unlawfully selling liquor and gambling.



Transportation Building.

The transportation building, the great structure which will stand in the northwest corner of Forest park, will be 525 by 1300 feet, as wide as the varied industries building and 100 feet longer. The building plans are the product of the designers of the department of works. Director-of-works Taylor gave them the basic ideas and for over a month chief designer Masqueray and several of his architectural artists, studied the great structure in all aspects, especially with regard to harmony with surrounding structures.

The general plan of the building is rectangular. There will be no court. The great distinguishing feature is the massing of the entrance ways so that they will form an arcade, and this feature will be repeated along four sides of the structure. The three arched entrance ways will take up almost the entire 525 feet of the facade on the east and west sides. On the north and south sides these arcade entrance ways are placed in the center. Director-of-works Taylor has dictated the following regarding the structure.

"The transportation building covers over 15 acres. The facades show a most pleasing adaptation of the French Renaissance. The building combines a feeling of the magnificent exposition building and of the high class railroad depot which prevail on the European continent. These two essential elements are apparent throughout the structure. On the east and west fronts are three magnificent arches which embrace more than half of the entire facade. Each of the arched openings will be 64 feet wide and 52 feet high. Through the archways 14 permanent railroad tracks will be laid from one end of the building to the other. At the sides of the three openings the projecting angles are accentuated by tower or pylon effect; which reach to a height of 150 feet to the base of the crowning statue. The pylons are not so much accentuated as to be obtrusive, or out of harmony with the structure."

"On the north and south fronts the architect has deemed it well to repeat the three massive archways which form the center feature of smaller fronts. This treatment pleasantly breaks the unwieldy facade of 1300 feet. On the

north and south fronts the pylon feature is omitted, but massive piers are repeated at intervals and lend dignity to the design. Flanking the three openings on the long fronts are great rows of magnificent windows as wide as the archways. Not only will visitors be admitted through the twelve huge portals, but subsidiary entrances are supplied at frequent intervals in the remaining stretch of walls. The roof treatment of the building is peculiarly happy. Over each of the big archways is a lofty curve which supplies a back-ground for the architectural features."

The statuary is happily placed in front and at the base of the main piers at the sides of the grand openings. This affords 16 groups which will illustrate transportation in all its phases as well as the progress made by the United States in this science. There will also be four groups of statuary surrounding the four pylons placed at the east and west fronts. The architect has subdued the use of sculpture in the building. He depends on mass effects and the grouping of masses. That is, he depends on architecture rather than on tawdry decorations for his effect. The management of the plan is simple and direct. The entire width of the building is spanned by five well designed uniform trusses. Special endeavor has been made to afford plenty of illumination by day without the use of skylights. Light is introduced through the monitor windows over each span of the five trusses.

"The building will contain about four miles of standard gauge railroad track. Even with this immense trackage two entire bents of the building are left free of rails and afford an exhibit space of 370,000 square feet. There is a novel disposition of the toilet rooms of the building. They are placed in the bases of the projecting pylons and are so arranged as to receive light and ventilation and be accessible from the exterior so that no exhibitor can make the objection that he has been placed in the neighborhood of the plumbing conveniences. At the east end a gallery 20 feet in width extends across the building. This affords a place for guard room and for the office of the department chief and will be an excellent place from which to view the picture below."

"Very Eminent Counsel."

The "very eminent counsel," who have been so extensively engaged in ascertaining for their ambitious and expensive clients not what the law is, but how to make it what it isn't, have been running in very bad luck of late. There was the joint traffic association, which was arranged to cut out competition in railway rates and was thought to be immune to the interstate commerce act, but ran foul of the anti-trust act. Then the counsel who framed the Addystone pipe combine found that it would not hold water. More recently the very distinguished and learned counsel who devised the merger scheme to circumvent the anti-trust act were brought up with a round turn of the legal liarat about the snubbin' post and made to realize what the anti-trust law is.

Now sundry gentlemen, learned in the law, but not yet wise in the law, in the city of New York, which is supposed to be the focus of all legal talent in the world, have had to take their medicine, and we can readily imagine the smile of satisfaction that spread over the face of President Roosevelt as the papers told him what the court of appeals of New York had to say about the franchise tax act of that state. It interests him because he was governor and because it was one of the measures he urged upon legislature, and because he has been severely criticised for yielding to the urgent appeals of the very eminent counsel to call a special session to have amended the original law.

As first enacted, the law left the assessment of franchise to local boards of assessment and taxation, as other property was left. The corporation lawyers protested against this because it would result in diversity of valuations, immensely increase the labor of corporations in protecting their properties from over assessments in the various districts, and they asked that the law be changed so as to place the assessment of franchises in a state board. There was force in the contention and Gov. Roosevelt called the legislature together again and recommended the proposed change,

which was made.

Immediately the same eminent counsel who had urged the change advised their clients to refuse to pay the tax levied on the assessment made by the state board on the ground that the assessment was unconstitutional, because it infringed the policy of local self-government. In the suit brought to collect taxes the lower court, Judge Earl dissenting, sustained the point made by the franchise lawyers, and then those who love not Mr. Roosevelt, and they are legion down on Wall street, where franchises, like suckers, are born every minute, break out in hostile criticism of him for yielding to "corporate influences." Now the court of appeals reverses the judgment of the lower court, sustains the amended law, and the corporations that put their confidence in their "very eminent counsel" will have to go into their treasure boxes and pull out some \$18,000,000 to pay up the back taxes on their franchises. Really, it is getting better to be a common, humdrum, every-day lawyer than to be a "very eminent" counsellor.

The Foreign Insurance Tax.

The foreign insurance tax for the years 1901-2 has at last reached our county treasury, and last week the county clerk made the apportionment. The total amount of the tax apportioned to the county is \$1,690.20, and is divided between the county and the special school districts on the basis of the number of school children. The apportionment is as follows:

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| County Revenue | \$1,058.13 |
| Mound City | 196.07 |
| Oregon | 167.62 |
| Craig | 93.25 |
| Maitland | 73.45 |
| Forest City | 45.78 |
| Corning | 49.82 |
| Bigelow | 33.68 |

—Lewis I. Moore and R. C. Banton will go to Topeka, Kan., Monday next, where they will attend the national convocation of the Fraternal Aid Association.

Arrival and Departure of Mails at the Postoffice, Oregon, Mo.

MAILS DEPART:

7:30 a. m. For Omaha and intermediate points, and all points north, east and west.
12:10 p. m. For all points north, east and west, except Tarkio and Villisca branches.
6:40 a. m. For St. Joseph and intermediate points.
3:30 p. m. For New Point only.
9:45 a. m. Helwig supplied by Rural Carrier, Route No. 2.
4:30 p. m. For Villisca, north, mail to all points north, east, south and west, except intermediate between Forest City and St. Joseph.

MAILS ARRIVE:

6:50 a. m. Omaha—Mails from all points north, east, south and west.
10:20 a. m. Villisca and Tarkio Valley branches. Mails from north east, south and west.
11:30 a. m. From New Point only.
3:15 p. m. Main line K. C., St. Joe. & C. B. Mails from all points, north south, east and west.
6:00 p. m. From St. Joseph.
9:45 a. m. Rural Route No. 2, leaves. Returns at 4:00 p. m.
9:45 a. m. Rural Route, No. 1, leaves. Returns, 4:00 p. m.
Mails are made up promptly 15 minutes before departing time.
New Point mail arrives and departs daily except Sunday.
Mail to Fortescue, Rulo and points on the B. & M. in Nebraska within 100 miles of this office, should be mailed before 8:45 a. m. in order to reach its destination the same day.
Mails for main line of K. C., St. Joe. & C. B. north and south, are made up and depart at the same time.

Current Comment.

The Atchison, Topeka & Santa Fe Railway company is making arrangements to fit up its ticket office at Los Angeles in an unique and attractive way. The fixtures and decorations will be characteristic of the country through which the Santa Fe passes. They will embody Indian colors and forms. All the wood will be weathered oak. Red and yellow will predominate on the walls. There will be decorations galore of Indian baskets, pottery and beadwork. The Santa Fe has used exhibits of Indian goods at many of its offices, but this is the first attempt to consistently observe the "Amerind" idea throughout all of the interior finish. Of course it would not be advisable for all railroads to make Indian museums of their ticket offices and waiting rooms, but it might be found profitable from a business point of view to make them as attractive as possible.

Louis Decker, member of a former house of delegates, has been convicted of perjury in connection with the Suburban boodle deal and his sentence fixed at four years. This is the fifteenth conviction since March, 1902; but no border has reached the penitentiary.

The death of Col. John T. Crisp removes one of the famous and picturesque characters of Western Missouri. Colonel Crisp was much in the public eye. He delighted in parading his peculiarities and eccentricities. He was an ex-Confederate, a lawyer, politician and an ardent champion of the fishing sport. Colonel Crisp's latest fame was achieved in the legislature by his ardent advocacy of the "Jim Crow" car bill.

How hard the speculative financial interests of Wall street have been hit by

the action of President Roosevelt in bringing into play the forces, supposed to be dormant if not moribund, in the Sherman anti-trust law, is measurable in the sarcasm and venom of the New York Sun's editorials. It has been prominently the advocate of consolidation, its defender and apologist. It has lost no opportunity, since the president began his discussion of trusts, to sneer at him. It hotly resented his interference in the coal strike. It now, under the caption of "Might Makes Right," concedes that the president, by use of the might of his power in enforcing the law, has won the right to a renomination. It credits him with having out-bribeed Bryan, out-populistized the populists, established government by injunction more firmly than ever, and exalted organized labor above organized capital. All the rage of the street finds voice in this virulent editorial of the Street's mouthpiece.

Judge Adams and Mr. Charles A. Conant have handed down conflicting opinions as to the nature of transactions on the stock and produce exchanges. The judge holds that, in their bulk, they are mere gambling, a betting on the rise or fall of prices, and vicious in the education in gambling which they give. As it is an ancient head of equity that he who seeks it must come into court with clean hands, he refuses the Chicago chamber of commerce an injunction that would restrain a bucket shop from using its market quotations. Mr. Conant, in a lay opinion, printed in the Atlantic Monthly, on the other hand, denies that the trading has the essence of gambling, because the loser has always the right to make good by tendering the thing sold, although he admits that the custom is to only deliver the margin in cash, but claiming that this is done merely for greater convenience. Between the extremes the truth lies, as usual. There is gambling, pure and simple, on the exchanges, as in the bucket-shops and everywhere else where men take risk on the future. But it is also true, as Mr. Conant contends, that without these exchanges values would be subject to far greater fluctuations. The need seems to be for some means by which the market can be kept for legitimate trading and not manipulated for speculative purposes. That is equivalent, however, to saying that the need is the arrival of the millennium.

In less than a year after the death of her husband, a St. Louis widow was married this week to her brother-in-law. At the wedding she wore full mourning. This is rather crowding things for St. Louis, but it does not yet equal the case in which a bride and groom together attended the funeral of the bride's former husband.

The interstate commerce commission has issued a bulletin on railroad accidents for the three months ended December 31, 1902. It shows that during that period in train accidents 266 persons were killed and 2,788 injured. Accidents of other kinds, including those sustained by employees while at work, and by passengers in getting on and off cars, etc., bring the total number of casualties up to 938 killed and 11,873 injured. The damage to cars and engines and roadbed by these accidents amounted to \$2,466,056.